



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas RATHSCHLAG

Group Art Unit 1774

Serial No.: 10/642,645

Examiner: SPEER, Timothy M.

Filed: August 19, 2003

For: IN-LINE APPLICATION OF UV VARNISH

REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

In response to the Office Action mailed on June 29, 2005, please consider the following.

The Rejections Under 35 USC § 112

Claims 6 and 9 were rejected for reciting “based on silicate” and “based on mica” as unclear and thus indefinite. Claim 7 also recites similar language.

Applicants respectfully disagree. In the pigment arts this terminology is commonly used and clear to one of ordinary skill in the art and especially clear in view of the specification. See, e.g., page 3, lines 18-20, and page 5, lines 16-19.

The Office Action alleges that the term “chemically durable” in claim 11 is indefinite. No such term occurs in claim 11. Claim 11 recites “chemically curable.”

The Rejections Under 35 USC § 102 and 103

Claims 1, 2, 3, 5 and 12 are rejected as allegedly anticipated by Wang and claims 4, 6-10, 13 and 14 are rejected as allegedly unpatentable over Wang.

The Office Action points to figure 3 and alleges that the overprint varnish disclosed by Wang is PVC plastisol. Wearlayer 24 in figure 3 would correspond to the claimed UV-curable overprint varnish, which is discussed further in Wang on column 6, lines 32-36, where PVC plastisol is noted. However, Wang describes this layer 24 as heat curable.

Wang teaches on column 3, lines 64 to column 4, line 2 that